

REMARKS

As an initial matter, Applicant thanks Examiner for the acknowledgment that Claim 7 would be allowable if rewritten in independent form including all features of the base claim and any intervening claims. Although Applicant tends to disagree with the Examiner's rejection, Applicant has amended claims 1, 7, and 8 to better clarify the invention. Claims 9 and 10 have been added as new dependent claims. Applicant submits that the claims (as amended), are now in condition for allowance, and respectfully requests reconsideration.

I. CLAIMS 1-6, 8 ARE NOT OBVIOUS IN VIEW OF THE CITED REFERENCES

The Examiner has rejected Claims 1-6, and 8 under 35 U.S.C. § 103 for obviousness. In regard to the claims, as amended, the Examiner cannot establish a *prima facie* case of obviousness. Therefore, Applicant respectfully requests reconsideration of the Examiner's rejection.

To establish a *prima facie* case of obviousness, four basic criteria must be met. First, a prior art reference must be analogous art. Second, from the prior analogous art, there must be a suggestion or motivation in the prior art to modify or combine reference teachings. Third, there must be a reasonable expectation of success in modifying or combining reference teachings. Finally, the combined prior art references must teach or suggest all claim features. See MPEP § 706.02(j). See *King Instrument Corp. v. Otari Corp.*, 767 F.2d 853 (Fed. Cir. 1985). See *In re Vaack*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

1. The references do not disclose all claim features

A. Nakamura et al., even when combined with Dewdney, does not teach or suggest two or more individual sliding sections as required by claims 1, 3, 4, and 8

The Examiner has rejected claims 1, 3, 4, and 8 for obviousness over Nakamura et al. in view of Dewdney. Applicant respectfully asserts that with regard to the claims, as amended, the Examiner cannot meet the requirement that all claim features be taught or suggested in the cited references.

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With respect to Claim 1, nothing in the prior art suggests the specific feature of two or more individual sliding sections on an outer circumferential surface of two or more plate-like portions. Nakamura discloses an elastic covering member 15 with a core 11 arranged therein so that when the core 11 is pulled out from within the covering member 15, the contracted elastic covering member 15 closely covers and seals a cable portion. Nakamura also discloses a slip member 13 having a low surface friction interposed between the inner periphery of the elastic member 15 and the outer periphery of the core 11 to facilitate removal of the core 11. (See *Nakamura*, Abstract) Dewdney discloses a core member described as a carrier 3' having two-semi-cylindrical portions 36' and 37'. (See *Dewdney*, Paragraph 0028)

As discussed, *supra*, the Examiner is obligated to show that the references disclose all claim features in any obviousness rejection. Ultimately, Applicant respectfully asserts that the Examiner has not met such a burden. Claim 1 requires two or more individual sliding sections on the outer circumferential surfaces of two or more individual plate-like portions. Neither Dewdney nor Nakamura disclose multiple individual sliding sections. Nakamura discloses one single cylindrical sliding section on one single cylindrical plate-like portion, while Dewdney discloses no sliding sections whatsoever. The required structural feature of "two or more individual sliding sections" is a claim feature wholly lacking in the cited art, and therefore the references do not disclose all claim features as required in any obviousness rejection by the Examiner.

B. Nakamura et al., even when combined with Osmani et al., does not teach or suggest two or more individual sliding sections as required by claims 1, 2, 5, and 6

The Examiner has rejected claims 1, 2, 5, and 6 for obviousness over Nakamura et al. in view of Osmani et al. Applicant respectfully asserts that with regard to the claims, as amended, the Examiner cannot meet the requirement that all claim features be taught or suggested in the cited references.

With respect to Claim 1, nothing in the prior art suggests the specific feature of two or more individual sliding sections on an outer circumferential surface of two or more plate-like portions. Nakamura teaches an elastic covering member 15 with a core 11 arranged therein so that when the core 11 is pulled out from within the covering member 15, the contracted elastic

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covering member 15 closely covers and seals a cable portion. Nakamura also discloses a slip member 13 having a low surface friction interposed between the inner periphery of the elastic member 15 and the outer periphery of the core 11 to facilitate removal of the core 11. (See *Nakamura et al.*, Abstract) Osmani discloses teaches a power cable joint device including at least one tubular rigid support feature, a cold-shrinkable, pre-expanded sleeve, and a releasable means for immobilizing the at least one support feature with respect to the pre-expanded sleeve. (See *Osmani et al.*, Abstract)

In similar fashion to what was discussed, *supra*, the Examiner is obligated to show that the references disclose all claim features in any obviousness rejection. Ultimately, Applicant respectfully asserts that the Examiner has not met such a burden. Claim 1 requires two or more individual sliding sections on the outer circumferential surfaces of two or more individual plate-like portions. Neither Osmani nor Nakamura disclose multiple individual sliding sections. Nakamura discloses one single cylindrical sliding section on one single cylindrical plate-like portion, while Osmani discloses no sliding sections whatsoever. The required structural feature of "two or more individual sliding sections" is a claim feature wholly lacking in the cited art, and therefore the references do not disclose all claim features as required in any obviousness rejection by the Examiner.

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CONCLUSION

In view of the remarks set forth herein, Applicant respectfully requests reconsideration of the application. Applicant respectfully submits that the application is in condition for allowance, and requests that a Notice of Allowance be issued in due course.

The Commissioner is hereby authorized to charge all fees due and any additional fees that may be required or credit any overpayment to Deposit Account Number 13-3723.

Respectfully submitted,

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